New Zublications.

# IE RIGHT OF PRIVACY. STICE DAVY'S DECISION IN THE CASE OF ABIGAIL ROBERTSON.

als a Girl of Rare Beauty and She Sued Her Lithograph Likeness as an Advertise-ment-Her Right of Privacy Invaded. tochester, July 31.-Justice Davy of the preme Court has overruled the demurrer to complaint of Abigail Robertson, the eighteentrold girl, who brought suit against the anklin Mills Company of Lockport and the chester Folding Box Company for \$15,000 nages. Miss Robertson, who is a very beautigirl, found that, unknown to herself, her trait was being used by the defendant comnies as an advertisement for "Flour of the s that her right of privacy had been invaded, point never before passed upon in the courts this country. In his decision Justice Davy

It does not appear from the complaint in a action that the plaintiff is within the catery of what might be denominated a public aracter. She is undoubtedly a young woman rare beauty, and this she enjoys as a private izen. It is very natural, if the plaintiff is of modest and retiring nature, that any such blicity would be extremely disagreeable and ensive to her. It is not impossible, there that she has suffered and continues to fer great mental injury and distress. In er words, there is plausible ground for the istence of the distress and injury alleged in complaint. It cannot be said that it is a re fabrication or fancy. The act is such at every person can readily see might use, and probably did cause, mental distress id injury to her nervous system.

Take any modest and refined young woman. assessed of more than ordinary beauty and telligence, situate in like circumstances as e plaintiff, and she might naturally be exmely shocked and wounded in seeing a hographic likeness of herself posted in public aces as an advertisement of some enterpris g business firm. To permit every person use a lithographic likeness of the plaintiff advertise their business, and yet say there no power in the courts to prevent it, would asserting a proposition at war with the rinciples of justice and equity and in violaon of the sacred right of privacy. Every ersonal interest which she possesses must regarded as private, especially when the blic has acquired no right in them.

Privacy is regarded as a product of civiliza-It was unsought and unknown among barbarous tribes. It implies an improved nd progressive condition of the people in ultivated manners and customs, with wellefined and respected domestic relations. he privacy of the home in every civilize untry is regarded as sacred, and when it is nvaded it tends to destroy domestic and inividual happiness. It seems to me, therere, that the extension and development of e law so as to protect the right of privacy ould keep abreast with the advancement of vilization. When private and domestic life invaded, which brings pain and distress of nd and destroys the pleasure and happiness domestic life, the courts ought to have power protect the individual from such an inva-

"For years there has existsed in the public ind a feeling that the law was too lax in afrding some remedy for the unauthorized culation of portraits of private persons, nd this invasion of privacy has been keenly it by the public. It may be asked how the culation of these lithographic advertiseents affect the plaintiff in her right of privacy is evident that the acts of the defendants printing and posting her likeness in public vites public criticism and brings her name nto more or less unenviable notoriety, and to a certain extent inflicts injury to her reputaon and feeling, especially if she desires a

To permit every person to print and the likeness of the plaintiff to advertise justice and equity. Are we to rely upon courts for the protection of one's goods plaintiff's reputation or right of privacy ainst circulating and posting these lithoiphs in public places unless it be by the rsewhip or some other unlawful act? If lithographic likeness, owing to its beauty. of great value as a trademark or an advering medium, it is a property right which thout her consent. She has a right to say t without her consent these lithographic des of her likeness shall not be circulated used by the defendants."

#### RUNAWAY BRIDE IN WHITE. akers Couple Wedded at Our City Hall Five

Days Ahead of Date Set at Home. eorge Hugh Thomas and Maria Fanny Holof Yonkers were married in the City Hall rriage Bureau yesterday afternoon by erman Rottman. The bride wore a white fon dress and a white sailor hat and carried laborate white parasol. Peter F. O'Neill Frederick Wieking accompanied them and ed as witnesses. All refused to tell anything out themselves and as the runa way marriage he (ity Hall of Miss Agatha Traubman and int Limburg Stinem was fresh in the minds he reporters they suspected another runa-

eorge Hugh Thomas is the son of Edwin L. a large lumber business on Wells avenue. He 3 years old, is a member of the Palisade Boat ib, and has a number of times competed in er colors in rowing regattas. He is the base iscopal Church in Yonkers.

y match. And such it was.

he bride is the daughter of Cecil Hollins, a satrical man living at 308 Riverdale avenue, nkers. She gave her age as 29 years. In the fing when the members of the St. Andrew's wrch choir decided to give a production of a "Mikado," Miss Hollins, who has a strong orano voice, was asked to sing Yum Yum. a consented. Mr. Thomas sang the Mikado, it is said in Yonkers that their courtehin ran from the time that the rehears also started. e opera was given at the Park Hill Country ib.

dr. Thomas's father when told of the marge yesterday by a Sun reporter was greatly torised. He said that he knew the bride well d that he had no objections to his son marryg her. In fact, he was delighted. But he uld not understand, he said, why they should ve gone to New York without saving anyng to him about it. He was positive that are had been no previous engagement been the young people. At the bride's home, as Hilda Hollins, her sister, was also prised to hear of the wedding. She did that her sister and Mr. Thomas d been engaged for some time and had anunced their wedding for Aug. 5. The Rev. mes E. Freeman of St. Andrew's Church was have married them. Miss Hollins said that I family knew of the bride's trip to the city the Mr. Thomas, but thought nothing of it as a frequently made trips to New York with f. Thomas.

"I guess when they got to New York they got crazy notion into their heads," she said, "and ent off and got married. But there was no eason for any elopement as there was no oposition from either family."

#### HE CUTTING AND MEDAL DESIGNING. lasses to Be Opened by the Academy of De

With the opening of the season of 1900-1901 in ctober the National Academy of Design of meterdam avenue and 109th street and the merican Numismatic and Archælogical Soety will jointly introduce courses of instruc-on in die cutting and medal designing. Sim-ir classes are maintained in Paris, and medals e awarded in the Salon for excellence in this ic of art. In this country, however, the de-imment is an innovation, and die cutting has most cases been learned by serving an ap-renticeship.

To Dredge for Oysters With Steam.

SAYVILLE, L. I., July 31.—Experiments in am oyster dredging will soon be tried in STATE HISTORICAL SOCIETY.

annual Meeting at Fort William Hotel, Lake George-President Roberts Re-elected. GLENS FALLS, N. Y., July 31.—The second annual meeting of the New York State Historical Society was held to-day at the Fort William Hotel on Lake George. Especially appropriate was the place selected, as the house stands on historic ground. A few feet to the east are the earthworks of the old To the south and west are the plains where the battle of Lake George was

fought 145 years ago, while under the waters mmediately in front of the house are still seen the wrecks of the batteaux which brought the French on their unfortunate journey. The Hon. James A. Roberts presided. Papers were read or addresses made as follows: "Col. Ephraim Williams," James A. Holden; "King Hendrick," Col. William L. Stone of Mount Vernon "Major-Gen, Phineas Lyman," the Rev. William O. Stearns of Giens Falls; "Baron Dieskau," Mrs. Ellen Harden Walworth of Saratoga; "Gen Sir William Johnson," the Hon. Hugh Hastings of Albany: "King Humbert," the Rev Dr. C. Ellis Stevens of Philadelphia. At the afternoon session the annual address

was delivered by President Roberts. It was largely devoted to the aims of the society. especially its duty to foster the local historical ocieties. The address of the day was mad by Prof. John Bach McMaster of the University of Pennsylvania, who gave a sketch of the prog ress made in acquiring civil, religious and political freedom from the end of the colonial

political freedom from the end of the colonial period to the present, as shown by the changes made in the Constitutions of the States.

These officers were elected: President, James A. Roberts of Buffalo; Vice-Presidents, Daniel C. Farrof Glens Falls: Robert O. Bascom and the Rev. Dr. Joseph E. King of Fort Edward; Secretary, Morris P. Ferris of Dobbs Ferry; Treasurer, James A. Holden of Glens Falls, trustees, Elmer J. West of Glens Falls; Joseph E. King, D. D. of Fort Edward, Morris P. Ferris of Dobbs Ferry, William I. Stone of Mount Vernon, William S. Ostrander of Schuylerville; Asahel R. Wing of Fort Edward, Grenville M. Ingalsbe of Sandy Hill, Hugh Hastings of Albany and the Rev. G. R. Vanderwater of New York.

# NEWPORT SOCIAL EVENTS.

Yarmouth-Robson Company Presents Another Play-Luncheons and Dinners.

NEWPORT, R. I., July 31.-Quite a number of the cottage colony journeyed to Narragansett Pier to-day to witness the polo match, and consequently there was little doing in Newport of a social nature until this evening. This afternoon Mr. and Mrs. Louis Q. Jones gave a reception and tea at their villa, "Bayview," in honor of their daughter, Miss Jones, who is very popular with the summer colony, and very accom-

plished.
This evening the weekly theatricals at the Casino by the Yarmouth-Riobson Company was held, there being a very fashionable audience as on previous occasions. The company presented "Some Vows Aro Better Broken," by Laurence Alma-Tadema. The cast was: 

Scene—An Inn.
Luncheons were given to-day by Mrs. Edward Nelli and Mrs. Frederick Nellson, the latter at the Casino. This evening cottage dinners were given by Miss Josephine Johnson and Mrs. Thomas Hitchcock. Mrs. Stuyvesant Fish has issued cards for a ball to be given at "Crossways" on the evening of Aug. 21. It will be a very elaborate affair, and will be her leading event of the season.

very elaborate affair, and will be her leading event of the season.

There has been so much trouble with cottagers leaving their automobiles standing on the avenue, especially in front of the Casino, that the police had to take action, and now there is a hired driver who will remove any that are left standing to the stand allotted for them. Newport has another society wedding in view, as to-day the announcement was made of the engagement of Mrs. F. T. Robinson of New York to Mr. T. A Lawton of this city. Mrs. Robinson is the mother of Mr. C. L. F. Robinson, the well-known yachtsman. Mr. Lawton is a man of great wealth.

AMOUNT OF GOLD IN THE COUNTRY.

Treasury Estimate May Be Too High. WASHINGTON, July 31.—Director of the Mint lee from Scott Brothers at \$1.56 a ton and rewashington, July 31.—Director of the subject of the courts to protect her, would be assert a proposition at war with the principles the about 1 feet and 1 feet and 1 feet and 2 feet and 3 feet and 3 feet and 4 feet and 4 feet and 4 feet and 5 feet a feet and 5 feet a feet and 5 feet an actually in sight. He says in part:

> "The stock of gold in this country, as shown by the Treasury estimates, was \$1,043,525,117 You doubtless understand how these estimates are made, viz.: by adding each year the output of the mints and the imports of domestic coin, and by subtracting each year the exports of domestic coin, the amount recoined and an estimated amount for the consumption in the arts and manufactures. The Government holdings on May 1 amounted to \$426,989,371, and the amount held by the national banks at their last statement was \$195,769,872. These two items constitute the gold in sight, and together amount to \$622,759,243, leaving about \$400,000,000 to be otherwise accounted for. It is, of course, not correct to say that this entire amount is missing from the country, as it is known that State banks, trust companies and similar organizations at all times have a share of their regular ready money in gold, and that a considerable amount is in general circulation. It has been held, however, by some writers that the amount of gold outside the Treasury and national banks cannot possibly be so great as the sum named, and that therefore the Treasury estimate of the total stock is manifestly erroneous. This office and the Sub-Treasury in New York are engaged in an effort to check the figures that have been made from year to year. Mr. Muhleman is going carefully over the figures for exports and imports, and an effort is being made here to check the figures for consumption in the arts and to obtain such information as may be available as to the sums carried out of the country by travellers and not reported to the custom houses. The inquiry has not proceeded far enough to warrant any statement of results." These two items constitute the gold in

### MENDING ST. PAUL'S STEEPLE. Crowds Watch a Nimble Climber at Work 185

Peet Above Their Heads. All day yesterday there were crowds of peoole on Broadway and on Vesey street watching Robert Merrill, better known as "Steeple Jack," at work on the top of the steeple of St. Paul's, 185 feet from the ground. Merrill has the contract to gild the six-foot arrow that serves as a weather vane and the four-foot ball to which the weather vane is attached, as well as to the weather vane is attached, as well as to straighten the seventeen-foot rod between the two, to put on new lightning rods, clean the whole steeple and stop all the leaks.

Last Friday Merrill's assistant refused to work and Merrill got a rival in the business, G. V. Wing of Zanesville, Ohio, who calls himself the "Wizard of the Steeple," to assist him. The two men got into a fight on their filmsy scaffolding, and the authorities of the church intervened and told Merrill that he must finish the job alone or give up the contract. He said yesterday that he would have no trouble fixing everything by himself and he thought that it would take him about six weeks to complete the job.

#### RECORD FROM HAVANA BEATEN. Steamship Havana's Time, 2 D., 15 H., 30 M Major Ives on His Way to China.

rived yesterday from Havana, created a new record between Morro Castle and Sandy Hook ightship. She covered the 1,950 miles in 2 days, 15 hours and 30 minutes. Her best day's run was 468 knots. The Mexico, also of the Ward Line, held the record.

Among the Havana's passengers were Major Among the Havana's passengers were Major F. J. Ives, Chief Surgeon of the Department of Matanzas; Col. O. E. Wood, and Lieutenan'-Commander I ucien Young, Captain of the port of Havana. Major Ives is on his way to China to join Gen. Wilson, under whom he served in tuba. He will sail from San Francisco on a transport that will leave there on Aug. 15. He was one of a few passengers remitted to land yesterday, having had yellow fever last year in Cuba. He will spend a few cays at Fort Slocum before proceeding. Col. Wood is going to San Francisco, where he has been appointed Chief Commissary. Lieutenant-Commander Young is on leave of absence for six weeks, at the end of which he will return to his post.

IT'S A VIRTUOUS, MONEY-SAVING ER-CORPORATION.

Is It Wrong, Asks the Democratic National Chairman, by Clever Inventions, Improved Processes and Abundant Capital to Im-

prove a Great Industry?-Oh, Go Ask Bryan. Senator James K. Jones of Arkansas, chairman of the Democratic National Committee, said vesterday in an interview: "I see that New York Republican newspapers have made the pretended discovery that I am connected with a trust. They allude, of course, to the fact that I own stock in the American Cotton Company. It may not be out of place to say what the American Cotton Company is and how became identified with it.

"More than ten years ago John W. Graves of Arkansas began work on a press designed to roll up cotton at the gin in highly compressed roundlap bales. Seeing in the perfection of his invention an improvement of inestimable value o the South, where cotton for more than a oundred years had been and still is baled in the crudest imaginable way, I advanced money to carry on the work in which he was engaged. By 1895 Graves and W. E. Anderson, who had ecome associated with him, had built a press which made a round bale of great density, the distinctive merit of which was that it required neither bagging nor ties. We lacked, however,

neither bagging nor ties. We lacked, however, the necessary capital to develop the business, and when in 1896 the American Cotton Company was organized to furnish the money for making practical the improvement in baling cotton, we sold it our patents, and I thus became a stockholder in that company.

"This company is in no sense a trust, nor is it a company with inflated capital. It is simply a business organization with capital large enough to carry on successfully the enterprise in which it is engaged. It has developed rapidly. The rounding presses which it makes have been established at 300 locations in the cotton States. These presses put up cotton at the gin plants in highly compressed, self-containing bales, which dispense with bagging and ties, and not needing to be recompressed, as all square bales intended for distant markets must be, are ready for through shipment to the mills in this country or to ports abroad, without the necessity of resampling, and with the minimum of expense. The profit which the company makes is not a charge upon the cotton, but is a part of the reundiap bale savings—some 33 or 34 a bale—which are shared by cotton growers, cotton ginners, railroad, insurance and steamship companies, and other interests engaged in the marketing of the South's staple crop.

"The American Cotton Company does not

staple crop.

"The American Cotton Company does not aim at a monopoly in the handling of roundlap bales, but ginners are free to sell in the open market at any time and to any buyer. It does, bales, but ginners are free to sell in the open market at any time and to any buyer. It does, however, guarantee to every ginner who uses its presses that all properly made rounding bales shall sell for a substantial premium above the market price of square bales.

"It to have been instrumental in the development of this great invention and to own stock in a company, which by its use introduces scientific methods of economy in the marketing of the American cotton crop, not only without cost to the farmer, but actually to his profit, is a just ground of criticism against me, I am greatly mistaken. Other round bale presses are being made. The American Cotton Company has never attempted to absorb any of these, but openly competes with them. We do claim the right to use our own patents, a right which is guaranteed to us by the Constitution of the United States."

[The capital of the American Cotton Company is \$7,000,000. John E. Searles, for a long time Secretary of the Sugar Trust, is President. Its offices are in Broad street, well known to be just as wicked as Wall Street.]

#### ICEMAN SCHEER AND THE TRUST. He Says His Name Was Used to Humbug Customers-Injunction Case Argued.

John W. Scheer, a small ice dealer, who sold his business to the American Ice Company, moved before Justice Giegerich of the Supreme Court yesterday to continue a temporary injunction issued by Justice Dugro restraining the American Ice Company from using Scheer's name on ice wagons, bill heads and advertisements and soliciting business in his name. Clarence J. Shearn, in behalf of the plaintiff,

said that a year ago there were 300 independent

ice dealers or pediers in the city, but that the defendant company had waged such a war on them that only sixty remain. Scheer had been selling ice from a wagon for thirteen years and had 200 customers. He had been purchasing the former rates, making but a small profit. When the price was put up to \$4 a ton, counsel said, independent dealers could not do business at a living profit. Thereupon Sheer sold his wagon and business to the defendant for \$300, and agreed not to go into the business for ten years on his own account. It was afranged that he should be employed by the defendant at \$14 a week.

that he should be employed by the defendant at \$14 a week.

Scheer averred that soon after he entered the employ of the defendant he found that it had put his name on a sign at 536 West Thirty-eighth street with the announcement that he dealt in hygeia and natural ice. He says he complained to the officers of the defendant about this use of his name, but they did nothing to step it. He found business cards issued by the defendant soliciting business in his name. He says the defendant employed bicycle riders to follow in dependent dealers and ascertain who their customers were and that these bicycle riders gave to such customers cards soliciting business for Scheer. In order to ruin the business of these independent dealers, it is alleged, the defendant's bicycle riders offered ice for prices below the regular rates and down to 15 cents a hundred pounds. The defendant had twenty-two wagons with Scheer's name on soliciting business and had a man named Lang to impersonate him and tell customers that he was fighting the Ice Trust.

William Rand, Jr., in behalf of the defendant, said that the case was got up for newspaper notoriety. He said that no property rights of Scheer were injured by the use of his name in a business from which he had prohibited himself by contract for ten years. The injunction would not do the company any harm, but it should not be granted. Justice Giegerich re-

by contract for ten years. The injunction would not do the company any harm, but it should not be granted. Justice Giegerich re-

# Doctor in an Automobile and a Bicyclist Arrested and Fined.

Dr. Wallace C. Clark of 113 West Thirtyfourth street was out in his automobile with Elmer E. Hartzell of 141 West Seventy-eighth and Seventy-ninth street, immediately ahead of them on his bicycle was Alonzo B. Carrier, who lives at the Westminster Hotel. Bicycle Policeman Van Kuren thought that the automobile and the bicycle were going too fast and he put Dr. Clark and Mr. Carrier under arrest and took them to the West Sixty-eighth street station. Just before they entered the station Dr. Clark, the policeman says, asked why he had been arrested and added that he had been called to see a patient on West 104th street in a burry.

had been called to see a patient on West 104th street in a hurry.

Van Kuren said he wouldn't have arrested the doctor if he had told him that at first, but that he did feel obliged to lock him up after they had gone so far. Mr. Hartzell furnished bail for Dr. Clark, who hurried away in his automobile, and Mr. Carrier left his watch and chain as security for his appearance in court. In the West Side court yesterday Dr. Clark told Magistrate Mayo the same story that he had told Van Kuren, but the Magistrate said that the law didn't discriminate between physicians and other folks in automobiles. He ordered the doctor and Mr. Carrier to pay fines of \$3 each. They paid the fines.

#### TOO LATE TO DEFEND WAGES SUITS. Judgment Having Been Allowed It Wont Be Opened Now.

A motion of Corporation Counsel Whalen, made at the request of Comptroller Coler, to open a number of judgments entered against the city on offers of judgment under the Prevailing Rate of Wages law, has been denied by Justice Bischoff of the Supreme Court. These udgments were for the difference between he prevailing rates of wages and yearly salaries paid for the work of the plaintiffs by the to join Gen. Wilson, under whom he served in the cubal transport that will leave there on Aug. 15. He was one of a few passengers remitted to land yesterday, having had yellow fever last year in Cuba. He will spend a few cays at Fort Slocum before proceeding. Col. Wood is going to San Francisco, where he has been appointed Chief. Commissary. Lieutenant-Commander Young is on leave of absence for six weeks, at the end of which he will return to his post.

Too Much Sport at Saratoga for Magistrate Mott, who has been sitting at the Yorkville police court, starts on his annual vacation this morning.

"I might go to Saratoga," he told the court attendants yesterday. "but it is too sporty. I will go to the Caiskills where it is quiet and restful."

city. The Comptroller contended that the law as to the prevailing rate did not apply to mechanics and laborers who are on yearly solaries. Justice McAdam had taken this view in Boch vs. the city, but the Corporation Counsel took the position that Justice McAdam's words were obiler, as Boch was not employed by the city as a painter, in which capacity he by the city as a painter, in which capacity he told that it might be desirable to litigate the claim. No irregularity, surprise, missence led that the law as to the prevailing rate did not apply to mechanics and laborers who are on yearly solaries. Justice McAdam had taken this view in Boch vs. the city, but the Corporation Counsel Boch vs. the city but the Corporation Counsel Boch vs city. The Comptroller contended that the law

William Burrill Sues Douglas Gubner for

\$5.000-Says His Engines Are Noisy. The people in the Dyker Heights section of Fort Hamilton are viewing with divided feelings the war going on between William Burrill, a wealthy real estate owner, and Douglas Gubner, a manufacturer of soda water las Gubner, a manufacturer of soda water burrill lives at Eighty-third street and Thirteenth avenue and adjoining his home is Gubner's factory. The factory has been there for many years, but it was not until Dyker Heights had many cottages and new inhabitants that any objection was made to it. The incessant noise of Gubner's engines was then found to be an unmitigated nuisance and among those who most bitterly objected to it was Burrill. He complained to the police captain of the precinct to have the nuisance shated. The engines, he said, were going day and night and there was no let-up even on Sunday. A policeman was detailed to investigate matters and he reported to the captain that no noise was made by the engines. This aroused Burrill to a pitch of indignation and yesterday, besides beginning action for \$5,000 against Gubuer, he threatened to have the captain and policeman brought up on charges before the Police Commissioners. As soon as Gubner learned of Burrill's action he built on his boundary a structure composed of six old wagons, boxes, barrels, crates and beer kegs, much to the annoyance of his neighbors. On the top of the structure he placed a large dog kennel, on the top of this two American flags. An employee guarded the structure last night and threatened to shoot any one who disturbed it. Burrill lives at Eighty-third street and Thir-

### SING SING GUARDS SUSPENDED. Four of the Night Watch Left a Tier of Cells

SING SING, July 31.-Messrs, J. McGough, C. Vaughn, H. Meserole and J. Scoville, four night guards in Sing Sing prison, were suspended for thirty days by Warden Johnson this mornfor thirty days by Warden Johnson this morning for allowing a tier of cells in the main prison corridor to remain open through the night. It was their duty to lock the cells after the prisoners were placed in them last night; but this morning, when the day keepers came on duty, they found the cells unlocked. The matter was referred to Principal Keeper Connaughton and under Warden Johnson's instructions the officers were released for thirty days without no.

structions the officers were released for thirty days, without pay.

This is looked upon as a serious matter by the officials. Had the convicts been aware of the fact that their cell doors were not locked they could have reached the corridors of the prison if so disposed and probably a number have escaped, as there were only ten guards, while there are 1,300 prisoners. Enough prisoners could have reached the corridor from the unlocked cells to have overpowered the guards and unlocked the cells on the adjoining tiers.

## CIGARMAKERS SHUN THE SHOPS. They Decline the Opportunity to Return to

The ten cigar manufacturing firms which shut down their factories more than three weeks ago reopened them yesterday, but very few, if any, of the cigarmakers returned to work, as the Cigarmakers International Union had advised them not to do so unless the manufacturers agreed to recognize the union and observe union conditions. The manufacturers declined to discriminate between union and non-union workers, and the situation was practically the same yesterday as during the shut-down.

Forty girls who had been employed by Kaufman & Co., one of the ten firms, at East Thirty-third street, returned to work yesterday morning on the supposition that none but union workers would be employed. They were met by the pickets of the union, who told the girls to go back to strike headquarters, as the union would not be recognized. Supt Keppler of the factory was so indignant at this that he gave Isaac Bennett, one of the pickets, a good shaking. Bennett had him arrested. Magistrate Mott in the Yorkville police court discharged Keppler. down their factories more than three weeks

## DAYTON'S UNION STRIKERS.

Nine Women Cigarmakers Arrested for Assault -Laundry Girls and Moulders at Work.

DAYTON, Ohio, July 31 .- Ten more of the striking cigarmakers were arrested to-night. Nine of them were women. They were interfering with the non-union cigarmakers who were returning home from work. All of the cigar manufacturing shops are now being operated. Many of the union strikers went back to their places, and it is considered a victory for the manufacturers.

The laundries are also busy, being operated largely by non-union workmen. The moulders are having rough sailing. Claude Roser and Thomas Young, striking moulders, who assaulted Cavin Phoebus and son, were held to answer to the charge of assault with intent to kill by Justice Markey to-day. It is said that six others will be held on the same charge. It is thought that the strike is over. triking cigarmakers were arrested to-night.

New York Stonecutters Threaten to Thrash the Brooklyn Union Into Joining Theirs. The Journeymen Stonecutters' Union of New York has issued an ultimatum to the Brooklyn York has issued an ultimatum to the Brooklyn union, commanding it to amaigamate with and give up its own identity or risk the consequences of a fight between the unions. The New York union claims jurisdiction over the whole of the Greater New York. The Brooklyn men say they are willing to join the New York union if the initiation fee, which is \$40, is reduced to \$10. They say they will fight rather than agree to an initiation fee which, in the case of many of the workmen, would be prohibitive. If the Brooklyn men do not join the New York body, the latter says, strikes will be ordered against its members.

# STRIKERS ATTACK WITH SHEARS.

His Employer, Who Was Defending Him. Benjamin and Max Greenberg, cap manufacturers of 220 Wooster street, whose forty facturers of 220 Wooster street, whose forty employees struck a few days ago, when they left the building last night escorted William Gerber, one of the non-union workmen who replaced the strikers. At the corner of Bleecker street, a crowd of twenty-five of the -trikers attacked them with shears. There was a lively fight and Gerber was wounded in the neck. A policeman of the Mercer street station happened along and the strikers fied, so the Intelligent cop arrested Benjamin Greenberg, whom he had seen fighting with a striker and locked him up in the station on a charge of disorderly conduct. He was balled out later. onduct. He was bailed out later.

# STRIKERS STONE A CAR.

Non-Union Cigarmaker Hit on an Avenue C Horse Car-Three Arrests.

The strikers of the Hilson Cigar Company, whose factory is at Thirty-ninth street and First avenue, last evening gathered, in spite of First avenue, last evening gainered, in spite of the police, and stoned an Avenue C car on which some of the factory workmen were riding home. One man was hit, but he was not hadly hurt. Policeman Burns, who, was one of the squad on duty around the factory, borrowed a boy's bicycle and pursued three of the strikers. He caught them and had them locked up in the East Thirty-fifth street station. They said they were Leo Polsky of 14 Market street, Max Morgales of 47 Norfolk street, and Jacob Fitz of 111 Goerck street. The man who was hit went home without telling the police his it went home without telling the police

Troops Guarding Mills Against Strikers. of the Fifty-third Battalion of Militia arrived in

of the Fifty-third Battailon of Militia arrived in Magog from Sherbroke this morning. More than one hundred employees of the Dominion Cotton Company at Magog are out on strike and the company notified the Town Council that they would hold the town responsible for any damage that the strikers might do to their property. The Town Council swore in a number of special constables and caused the calling out of the militia. The men demand an increase of 10 per cent in wages. of 10 per cent. in wages.

#### Chicago Strikers Trying to Raise Trouble Here.

The National Building Trades Council, which is conducting the strike in Chicago, has ap-pointed Joseph A. Lord. Secretary of the New York Building Trades Council, as the Eastern York Building Trades Council, as the Lastern organizer. There are no unions connected with the National Building Trades Council in New York State, the Building Trades Council of this city being an independent organization. Lord said yesterday that his first work as organizer will be an effort to have New York represented in the national body.

# Wages in the Tin Plate Industry.

Another conference, which was adjourned until to-day, was held yesterday between the officers of the American Tin Plate Company and representatives of the Amalgamated Association of Iron, Steel and Tin Workers. D. G. Reid, President of the company was reported as having said that wages would not be advanced; possibly they might be fixed at a lower scale, but in all probability they would remain exactly where they are.

# New Orleans Rioters Arrested.

NEW ORLEANS, La., July 31. - The police have arrested the leaders of the mob in Wednesday night's rioting. Mayor capdevielle has announced that all these rioters will be prosecuted vigorously and District Attorney Guriey declares that he will do all in his power

JONES ON COTTON TRUST. PYRER HEIGHTS SODA WATER WAR. 40 MILLION SALARY LIST. CITY PAYROLL SHOWS \$400,000 IN-

CREASE OUTSIDE OF SCHOOLS

nd Since January Last-The List Fills 380 Pages of the City Record-Decreases Prove to Be About a Sixteenth of the Increases. The special edition of the City Record pub ished in accordance with the provisions of the law which requires that the names, salaries lished twice a year was issued yesterday. The

reports of the various departments cover 380 of the big City Record pages. The edition cost \$10,000.

Leaving out altogether the Department of Education, which occupies 120 pages of the list, the increases since January are nearly \$420,000 a year and the decreases are less than \$30,000. Some of the departments give figures by months, days and hours, in which cases eight hours a day and 300 days a year are here allowed. In the departments not mentioned in the amexed table either there have been no increases or they are trivial:

Department.	nerease.	Decrease
Department. Street Cleaning	115,000	F16.E
Police	71,000	5,450
Fire	66,000	1.700
Bridges	27,000	*23
Highways	48,000	3.000
Sewers	11,000	
Law	500	
Finance	10,930	11.25
Water Supply	7.700	**,***
Public Buildings	500	1.00
	A00	1,00
Building		8.9.5
Docks	2,500	11/
Health	5,900	10
Charities	9,800	90
Parks	12,300	50
Parks. Public Improvements	6.360	2,08
Aqueduct Board	1.020	111
Courts	15.500	***
Civil Service Commission	2.340	
Minor Items	5.000	
minor remainment in the second	0,000	
Totale	\$418.950	\$26.81

ELECTION IN CUBA. Order for the Election of Delegates to a Con-

stitutional Convention. WASHINGTON, July 31.-The War Department o-day made public the following order for a Cuban election for a Constitutional Convention which was prepared during Gen. Wood's visit, signed and sent to Havana for promulgation

and printed there in the Official Gazette: "Whereas, the Congress of the United States by its joint resolution of April 20, 1898, declared that the people of the island of Cuba are and of right ought to be free and independent, that the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction or control over said island, except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its

"Whereas, the people of Cuba have established municipal governments, deriving their authority from the suffrages of the people, given under just, equal laws, and are now ready n like manner to proceed to the establishment of a general government which shall assume and exercise covereignty, jurisdiction and con-

and exercise sovereignty, jurisdiction and control over the island:

"Therefore it is ordered that a general election be held in the island of Cuba on the third Saturday of September, in the year 1900, to elect delegates to a convention to meet in the city of Havana, at 12 o'clock noon on the first Monday of November, in the year 1900, to frame and adopt a constitution for the people of Cuba, and, as a part thereof, to provide for and agree with the Government of the United States upon the relations to exist between that Government and the Government of Cuba, and to provide for the elections by the people of officers under such constitution and the transfer of government to officers so elected.

"The election will be held in the several voting precincts of the island under and pursuant to the provisions of the Electoral law of April 18, 1900, and the amendments thereof.

"The people of the several provinces will elect delegates in number proportioned to their populations as determined by the census, viz: The people of the Province of Pinar del Rio will elect three delegates. The people of the Province of Pinar del Rio will elect three delegates. The people of the Province of Province of Matanzas will elect four delegates. The people of the Province of Pourto of Puerto Principe will elect two delegates. The people of the Province of Puerto Principe will elect two delegates. The people of the Province of Puerto Principe will elect two delegates. The people of the Province of Puerto Principe will elect two delegates. The people of the Province of Puerto Principe will elect two delegates. The people of the Province of Puerto Principe will elect two delegates. The people of the Province of Puerto Principe will elect two delegates.

#### LOUNGING ON BROADWAY. Gibbs Thanked for Kindheartedness by

Two Actors Whose Arrest He Caused. Dr. John Wilson Gibbs, President of the Message Company at 1370 Broadway, and brother of Republican National Committeeman Frederick S. Gibbs, yesterday caused the arrest of the brothers Harry and Edward West, variety actors, who were standing in front of the entrance to his office. There are several theatrical employment agencies located in the building. Dr. Gibbs has made repeated complaints to the police of the Tenderloin station that actors looking for employment through those agencies congregated in such numbers in front of his place of business as to interfere with persons passing in or out. At one time Capt. Price when in command in the Tenderloin, stationed a policeman on the spot to keep the alieged offenders on the move, Last Monday Dr. Gibbs reported to Capt. Thomas that on that day, by actual count, forty-six smoking and expectorating sons of the stage were at one time gathered in front of the building. He added that bad as that state of affairs was in itself, it was made worse by the fact that several women about to enter the office had been insulted by the loungers. Among the sufferers was Miss Gibbs, who had come into her father's office weeping, after having been tapped on the shoulder by a man who wanted to enter into conversation with her. interfere with persons passing in or out. At

who wanted to enter into conversation with her.

Capt. Thomas said that the only thing to do was to have a few of the offenders locked up, Yesterday Detective Falconer was sent to the office and when he left there in company with Dr. Gibbs, they found the brothers West standing in front. Falconer warned them away, and arrested them when they showed too great deliberation in obeying. Dr. Gibbs told Magistrate Pool when the prisoners were arraigned in the Jefferson Market court that he did not want to take any action that would work a hardship on them. He declared himself perfectly willing to withdraw his complaint if the prisoners would only promise to keep away from the place and tell their colleagues to do so. Magistrate Pool read a sermon to the brothers and then asked what they had to say. They promised to shun the forbidden spot. Their discharge followed immediately, and a moment later they were shaking hands with Dr. Gibbs and thanking him profusely for his lenity.

tended to shut the resort up; that he knew there was a way to do it, and that when he once started he would keep up the fight all summer or two or three summers if necessary. "It isn't that I want to have a couple of waiters

fined \$10,"he said, "or that I wish to send the fined \$10, "he said, "or that I wish to send the man Ackron to the Island for a couple of months; what I want to do is to stop the existence of such places as the Tivoli. I know it can be done. I know there are a half a dozen ways to do it, even over the heads of the local authorities. The State Excise Commissioner can do it. or any of his small army of deputies, assistants and inspectors can do it. I am quite familiar with the original Liquor Tax law, for I framed some parts of it myself; but I am not familiar with the original Liquor Tax law, for I framed some parts of it myself; but I am not familiar with the court decisions regarding some of its provisions. It is those things which I am going to look up and familiarize myself with before I actually begin.

"The original law provides that no one can engage in liquor traffic who also conducts any other business which is illegal. The keeping of a disorderly house is illegal, and it has been held that any resort frequented by prostitutes is disorderly. Every person applying for a liquor tax certificate must make a statement to the effect that he conducts no illegal business, and any citizen may present a verified petition to a Justice of the Supreme Court to revoke any certificate granted on statements alleged to be false. Any of the State excise officers or any taxpayers may also petition the Supreme Court to enjoin any person who does not comply with the law from trafficking in liquors. These methods all take the matter directly to the Supreme Court and every opportunity possible is given to the petitioner to prove his case. It is the duty of the State authorities to look after such places as the Tivoli." man Ackron to the Island for a couple of months;

# Cardinal Gibbons in Brooklyn.

Cardinal Gibbons arrived in this city yester

Causes of Anti-Foreign Feeling

# By GEORGE B. SMYTH

President of the Anglo-Chinese College at Foochow The clearest and most comprehensive account of the circumstances which are responsible for Chinese hatred of the foreigner, and six other articles upon the

CRISIS IN CHINA The North American Review For August FOR SALE EVERYWHERE

JOHN CLARK RIDPATH DEAD. The Historian Had Been Gravely Ill for Several Weeks-His Works.

John Clark Ridpath, the historian, died at the Presbyterian Hospital yesterday afternoon,

Fresbyterian Hospital yossetus, attentone. His death has been expected for several weeks. He was taken to the hospital on April 26, suffering from a complication of diseases, chief of which was Bright's disease. It was realized at the time that he could not recover owing to the chronic nature of his complaint.

John Clark Ridpath was one of the best known writers of popular historieal works. His works were more familiar to the masses of the people than wery those of men considered by critics to be profounder historical works. He was probably best known for his historical text books. Dr. Ridpath was born on a farm heart the village of Fillmore Putnam county, Indiana, in April, 1811. The father's family came from Berwickson-Tweed, England. His mother was a 'Irginian.' The father's family came from Berwickson-Tweed, England. His mother was a Crimal Governors of Virginia. The future historial was the eldest of several children. While a meet had he showed a wonderful fondness form he stather's house, and at elvew years of at here. had passed his examination and was required to send him was taught for his year found to one a farm. His parents fully appreciated their son's ability, however, and they one of the books he could have one of the send him. At 15 he was the principal of the school where he had been a pupil four years before. When school was not in session he worked in the general store at Fillmore as a clerk.

When young Ridpath was is his father saw his way clear to give the boy a better education and was sent to Asbury, now De Pauw, University, at Greencastle, Ind. He completed the six-year course upon which he entered in four years, and was graduated at the head of his class. While in college he was member of the Greek letter fraternity. In was chosen as one of the instructors at the head of his class. While in college he was chosen one of the associate editors of the People's Cyclopacian, and two was chosen was no fiften which he finished and published in 1853 he published in 1853 he published in 1863 he

#### CONGRESSMAN W. D. DALY DEAD. Succumbs to Apoplexy at Far Rockaway -Sketch of His Career.

FAR ROCKAWAY, L. I., July 31.—Congressman William D. Daly of Hoboken, N. J., who was spending last night at this place, was stricken with apoplexy about 1 o'clock this morning and died a few hours later. Mr. Daly arrived yesterday morning with the intention of returning to his home the same night, but missed the last train. He then engaged quarters in a boarding house. Drs. Frantz and McGuire were summoned and were with him when he died.

TRENTON, N. J., July 31.—Gov. Voorhees expressed deep regret to-day at the news of the death of Congressman Daly with whom he had been associated for four years in the State Senate. During one year they were leaders in their respective parties. The Governor said every body liked Mr. Daly on account of his kindheartedness and genial disposition. "The Democratic party." he continued, "has lost a powerful factor and a tircless worker." The Governor is not certain as to whether he will call a special election to fill the vacancy in the Congress district, but it is likely that a special election will be held.

Mr. Daly was born in Jersey, City on June 4. William D. Daly of Hoboken, N. J., who was

hardship on them. He declared himself perfectly willing to withdraw his complaint if the prisoners would only promise to keep away from the place and tell their colleagues to do so. Magistrate Pool read a sermon to the brothers and then asked what they had to say. They promised to shun the forbidden spot. Their discharge followed immediately, and a moment later they were shaking hands with Dr. Gibbs and thanking him profusely for his lenity.

WILL TRY TO SHUT UP THE TIVOLI.

Senator Ford Says He will Study the Laws and Then Get to Work.

Senator John Ford has been considering what to do about the assault committed on him in Charles Ackron's Tivoli ever since the assault was committed last Friday night. He said yesterday that he had not yet decided on exactly what line to proceed, but that he intended to shut the resort up; that he was a way to do it, and that when he once.

WASHINGTON, July 31.—Gen. MacArthur cabled the War Department to-day announcing the death in Manila of Lieut, David G. Spurgin, Twenty-first Infantry, on the evening of July 29, the result of shock from a surgical opera-Lieut. Spurgin was born in Ohio on Feb.

tion.

Lieut. Spurgin was born in Ohio on Feb. 18, 1867, and was appointed from that State to the Military Academy on June 14, 1885. He was Second Lieutenant in the Twenty-first Infantry on Oct 31, 1894, and First Lieutenant April 26, 1898. He was in the campaign against Santiago, and was in the Baitle of San Juan. He returned with his regiment to Plattsburg Barracks, whence he was ordered to the Philippines, and served there until the date of his death. He was the son of Lieut.-Col. W. F. Spurain, Sixteenth Infantry, who is on duty as Collector of Customs at Manila.

West Point, July 31.—Mrs. Spurgin, wife of Col. William F. Spurgin, Sixteenth Infantry, received a cable message from Manila this afternoon announcing the death of her son. The father and son were both on duty in the Philippines and Mrs. Spurgin had completed all arrangements for starting for Manila when the message reached her. Col. Spurgin cables that remains.

# OBITUARY.

The funeral of William Wood Gallimore, one of the best-known pottery modellers and designers in the country, who died on Saturday, took place yesterday from his residence, 471 Bellevue avenue, Trenton, N. J. He had been employed since 1886 in the Trent Tile Company. His father, William Gallimore, was an artist, engraver and color mixer of the old school, and under his instruction the son obtained a complete knowledge of the manufacture of potters' colors. His grandfather was also a pottery designer and the Gallimore family was among the first owners of the Worcester Porcelain Works, England. The dead man is survived by seven grown children, all day morning from Detroit and, as usual when here, was the guest of Major John D. Keiley at his home. 213 Clernont avenue, Brooklyn. The Cardinal will leave for Baltimore to-day.

designs for applied ornamentation. Mr. Gallimore was born in Burslem, England, in 1842. He executed original models and designs for many of the English potteries. His portrait busts of Queen Victoria and other prominent persons were highly praised. For six years he was the modeller for the Belieck pottery in the Irish town of that name. While living in Ireland he lost his right arm by the discharge of a gun. While in England he was commissioned by William Henry Goss, proprietor of potteries in Stoke-on-Trent, to execute some busts of prominent Englishmen, which were afterward produced by Mr. Goss in fine Parian. Gen. William Grose, aged 88 years, died on Monday at New Castle, Ind., of paralysis, He came from fighting stock, his grandiather being killed during the Revolutionary War, his father fighting under Gen. William Henry Harrison in the War of 1812, and he himself being rapidly promoted from Colonel of an Indiana Regiment to General during the Civil War, serving until the end. He took part in the organization of the Republican party, and later served several terms in the Indiana Legislature.

James Henry Strong, a retired merchant, died vesterday at his home. Mat East Three

terms in the Indiana Legislature.

James Henry Strong, a retired merchant, died yesterday at his home, 144 East Thirty-fifth street. He was 79 years old. He had been failing in health for several years. During the civil War he was Colonel of a Union regiment raised in North Carolina. He leaves a widow and three children.

Dr. Bertrand F. Berry, a well-known dentist of this city, died on Sunday at his home, 311 Madison avenue. He was 52 years old. He was born in Worcester, Mass, and was graduated from the New York College of Dentistry in 1874. A widow and two sons survive him.

#### DIED.

BYRNES .- At Lake Waramaug, Conn., July 80, 1900, Henry D., youngest son of James and Funeral from residence, 21 West 132d at., Wednes

day, Aug. 1, 1900, at 10 A. M. DYER. -On Sunday, July 29, 1900, at his residence 111 East 17th st, the Rev. Heman Dyer, D. D. in the 90th year of his age. Funeral Wednesday, August 1, 1980, at 10 A. M., from.Grace Church, 10th st. and Broadway. In-

terment at Woodlawn.

HAZEL.-On Sunday, July 29, 1900, at her red-dence, 111 Convent av. | Mary O'Connor, beloved wife of Michael Hazel.

Funeral will leave late residence at 10 A. M. on Wednesday, Aug. 1, 1900, for St. Catharine's Church 152d st. and Amsterdam av., where there will be a solemn requiem mass for her eternal repose. Interment in Calvary Cemetery.

HORNTHAL .- Sarah, relict of Marz Hornthal, to the 88th year of her age. Notice of funeral hereafter.

POOR .- At Liverpool, ion Sunday morning, 'July 29, 1900, Edward Erle Poor, in his 64th year Notice of funeral later. RUSSELL .- At Silver Lake, Susquehanna county,

Pa., on Sunday, July 29, 1900, Henry King Sheldon, only child of the Rev. James Townsend and Anna Sheldon Russell, aged one year and months. Fuperal services at St. Thomas's Church, Bush wick av. and Cooper st. Brooklyn, Wednesday Aug. 1, 1900, at 10 A. M. Take Brooklyn ele-

vated to Chauncey st. STRONG,-On Tuesday, July 31, 1900, at his reddence, 144 East 35th st., James Henry Strong, in the 79th year of his age. Funeral Thursday, Aug. 2, 1900, at 11 A. M.

UNDERWOOD.-At Highwood Park, Weehawken, on Monday, July 30, 1900, suddenly, after a brief iliness, William Underwood, in his 71st year. Funeral service at his late residence, corner Bons place and Boulevard, Highwood Park, Weehawken, N. J., on Wednesday, Aug. 1, 1900, at 8 P. M. Interment at convenience of family.

WALKER .- On July 31, 1900, of typhoid fever, D. Walker, in the 43d year of his age.

Funeral service will be held at St. Peter's P. E. day afternoon, Aug. 2,1900, at 3:30 o'clock'

# New Publications.

DESCENDANTS should be especially interested in Old Merchants of New York, Historic, Blographic, Social, Commercial, Genealogic, 25% dista WHITING, 62 New st. G. Schopenhauer's Essays, Renan's Life of Jesus, Emerson's Essays, Creasey's Battlea PRATT 161 6th av.

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